CLC UPDATE

**California Legislative Conference of the Plumbing, Heating and Piping Industry**

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**Prevailing Wage For Concrete Delivery Update (AB 219)**

Below is the latest update from the Department of Industrial Relations regarding AB 219 (Prevailing Wage for Ready-Mix delivery).  This issue has evolved many times through the legal system, but as it stands now **AB 219 is in effect pending final decision.** A month ago, the U.S. District Court in Los Angeles issued a permanent injunction and ruled that AB 219 is unconstitutional and cannot be enforced by the Department of Industrial Relations.  Last week, the U.S. Court of Appeals for the Ninth Circuit ordered a stay of that ruling, pending a final decision on appeal.  This means that the requirements of AB 219 is in effect and will remain so until the Court of Appeals makes its final decision, most likely sometime in 2018. Throughout the legal process we have advised CLC contractors to comply with the law and we continue to do so.   If you have any questions please contact our office.



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| **Newsline No.:** 2017-28                                               **Date:** April 21, 2017                                                                                                                                           **U.S. Ninth Circuit Court Grants DIR Request for Stay on Permanent Injunction Blocking Enforcement of AB 219 Prevailing Wage Requirements for Ready-Mix Concrete Suppliers**On Wednesday, April 19, 2017, the Ninth Circuit Court of Appeals granted the Department of Industrial Relations’ (DIR) request for a stay of the U.S. District Court Order blocking the Labor Commissioner’s enforcement of AB 219 prevailing wage requirements for ready-mix concrete suppliers. The order had prohibited DIR and the Labor Commissioner from enforcing new prevailing wage requirements on the delivery of ready-mix concrete to public works projects. The department will enforce all prevailing wage requirements pursuant to AB 219.DIR’s [fact sheet and FAQs](http://www.dir.ca.gov/ConcreteDeliveryPrevailingWage/AB_219_Fact_Sheet.html) contain more information on the requirements for ready-mix concrete work on public works projects. |   |